

SOUTH DAKOTA DEPARTMENT OF EDUCATION SPECIAL EDUCATION PROGRAMS

OAHE INC.

Continuous Improvement Monitoring Process Report 2003-2004

Team Member: Dawn Smith, Education Program Representative, Special Education Programs

Date of On Site Visit: February 4, 2004

Date of Report: February 26, 2004

This report contains the results of the compliance review completed by Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

Promising Practice The agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.

Meets Requirements The agency consistently meets this requirement.

Needs Improvement The agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.

Out of Compliance The agency consistently does not meet this requirement.

Not Applicable In a small number of cases, the standard may not be applicable for your agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

Principle 1 – General Supervision

General supervision means the school district and the agency's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

Meets Requirements

The reviewer identified the agency does not conduct child find activities. The agency becomes involved in the provision of services upon contact from local school districts. There are no agency students enrolled in private schools. Goals and

objectives relate to student transition life planning outcomes, and many relate to functional standards such as banking skills, time and measuring. The functional standards are directly related to South Dakota content standards.

Principle 2 – Free Appropriate Public Education

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3rd birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

Meets Requirements

A review of student files indicates students are provided services in accordance with their IEP/Path plan. The agency keeps detailed documentation of services. Related services addressed in student individual education programs are provided. The agencies' comprehensive plan addresses procedures for students who may be suspended or expelled, including the provision of a free appropriate public education. The agency has not suspended or expelled a student for more than 10 school days. In interview, staff noted if a meeting is convened to address the concerns and adjust the program accordingly. The agency suspension and expulsion policies are addressed in the agencies' policy and procedures manual.

Principle 3 – Appropriate Evaluation

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

Meets Requirements

The agency conducts comprehensive assessments annually for all individuals at Oahe. This data is utilized in the development of the PATH plan. The prior notice is sent out before each PATH plan meeting. In interview, staff reported that the student is always encouraged to attend all meetings, as well as other representatives are invited to attend the PATH plan meeting.

Needs Improvement

Decisions about the student are made at both the IEP and PATH plan meetings. It is suggested the PATH plan meeting and the IEP meetings could be merged. When writing the prior notice for the IEP and PATH plan one prior notice could be sent out to appropriate members. The written prior notice should inform the parents that they have the right to provide input into the evaluation process.

Principle 4 – Procedural Safeguards

Parents of children with disabilities have certain rights available. The school district and the agency makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

Meets Requirements

The reviewer concluded that parents are informed of their parental rights. Prior to admission, the assessment process is explained to the IEP team and an orientation packet is given to parents and the person receiving services. Parents have been informed of all relevant consent information in their native language. Parents have the opportunity to access and inspect applicable student records.

Principle 5 – Individualized Education Program

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

Meets Requirements

The IEP team requirements are being met in a satisfactory manner. The agency invites the appropriate members, soliciting the involvement of the district responsible for the student placed at Oahe. Contacts are made with the parents to secure their involvement as well.

Transition plans are developed as a coordinated set of activities based on the transition needs of the student. The special education director conducts vocational evaluations and works directly with the team and job developers in the community to find situations aligned with student interests and abilities.

Out of Compliance

In interview staff stated that they are in contact with parents on a regular basis and discuss the student's progress verbally. However, there is no written report sent to the parents. ARSD **24:05:27:01.03** states that the student's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their non-disabled student's progress.

24:05:27:01.03. Content of individualized education program.

(b) How the student's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their non-disabled student's progress of: (i) Their student's progress toward the annual goals; and (ii) The extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year. **Source:** 26 SDR 150, effective May 22, 2000. **General Authority:** SDCL 13-37-1.1. **Law Implemented:** SDCL 13-37-1.1

Principle 6 – Least Restrictive Environment

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

Meets Requirements

Through file reviews and interviews, the reviewer noted that documentation for justification for placement did address why the team determined the placement was the least restrictive environment. There was indication of consideration for the opportunity to be with and participate in activities with non-disabled peers. Elements of the student file address a variety of community experiences which may result in experiences with non-disabled peers. In visiting with staff from Oahe, they remarked students have the opportunity to attend upcoming holiday activities, as well as the opportunity to visit places of interest and any other activities they have an interest in, such as going bowling. The IEP's for the students appropriately address least restrictive environment.